

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANNABELLE SUAREZ,

Plaintiff,

-against-

NEW YORK COUNTY DISTRICT ATTORNEY'S
OFFICE, NITIN SAVUR, NICOLE ORTSMAN-
DAUER, GEORGE ARGYROS, and INA CHEN,

Defendants.
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NOTICE OF MOTION

1:22-cv-10855(PGG)

PLEASE TAKE NOTICE that, upon the annexed declaration of Ernst Bonaparte dated July 26, 2023, the accompanying memorandum of law also dated July 26, 2023, and upon all prior pleadings and proceedings heretofore had herein, Defendants in the above-referenced cases will move this Court, before the Honorable Paul G. Gardephe, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York 10007, on a date and time to be designated by the Court, for an order, (a) pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, dismissing Plaintiff's state and local law disability claims for lack of subject-matter jurisdiction, (b) pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Complaint (Dkt. 1) in its entirety with prejudice because it fails to state a claim upon which relief can be granted, and (c) granting Defendant such other and further relief as the Court may deem just and proper.

Dated: New York, New York
July 26, 2023

HON. SYLVIA O. HINDS-RADIX

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By: /s/

ERNST BONAPARTE

Assistant Corporation Counsel